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CRAIG YATES and DISABILITY RIGHTS
 ENFORCEMENT, EDUCATION,
 SERVICES: HELPING YOU
 HELP OTHERS

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

CRAIG YATES, an individual; and)
 DISABILITY RIGHTS, ENFORCEMENT,)
 EDUCATION, SERVICES:HELPING YOU)
 HELP OTHERS, a California public benefit)
 corporation,)

Plaintiffs,

v.

ARTHUR C. S. HSU, and GLENDY M. H.)
 HSU TRUSTEES UDT; and RAYMOND)
 HSU, an individual,)

Defendants.

CASE NO. CV-08-4983-PJH

**STIPULATION OF DISMISSAL AND
 [PROPOSED] ORDER THEREON**

The parties, by and through their respective counsel, stipulate to dismissal of this action in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(1). Outside of the terms of the Settlement Agreement and General Release (“Agreement”) herein, each party is to bear its own costs and attorneys’ fees. The parties further consent to and request that the Court retain jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).

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STIPULATION OF DISMISSAL AND [PROPOSED] ORDER THEREON

1 Therefore, IT IS HEREBY STIPULATED by and between parties to this action through
2 their designated counsel that the above-captioned action be and hereby is dismissed with prejudice
3 pursuant to Federal Rules of Civil Procedure section 41(a)(1).

4 This stipulation may be executed in counterparts, all of which together shall constitute one
5 original document.

6
7 Dated: December 16, 2009

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

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9 By: _____/s/_____
10 Thomas E. Frankovich
11 Attorney for CRAIG YATES and
12 DISABILITY RIGHTS ENFORCEMENT,
13 EDUCATION SERVICES:HELPING YOU HELP
14 OTHERS

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STIPULATION OF DISMISSAL AND [PROPOSED] ORDER THEREON

1 Dated: December 9, 2009

RANDALL P. CHOY
HEDANI, CHOY, SPALDING & SALVAGIONE

3 By: _____/s/_____

4 Randall P. Choy

Attorneys for ARTHUR C. S. HSU, and GLENDY
M. H. HSU TRUSTEES UDT; and RAYMOND
HSU, an individual

8 **ORDER**

9 IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to
10 Fed.R.Civ.P.41(a)(1). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for the
11 purpose of enforcing the parties' Settlement Agreement and General Release should such
12 enforcement be necessary.

14 Dated: December 16, 2009

